

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BION L. HENDERSON,

Plaintiff,

Case No. 10-13452
Hon. Marianne O. Battani

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

/

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT
AND DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

Plaintiff Bion L. Henderson brings this action challenging the final decision of the Commissioner denying his application for Supplemental Security Income ("SSI") under Title XVI of the Social Security Act. The case was referred to Magistrate Judge R. Steven Whalen pursuant to 28 U.S.C. § 636(b)(1). Both parties filed dispositive motions, and in a Report and Recommendation ("R&R") dated June 16, 2011, Magistrate Judge Whalen recommended that Plaintiff's Motion for Summary Judgment be denied and that Defendant's Motion for Summary Judgment be granted.

In his Report and Recommendation, the Magistrate Judge informed the parties that objections to the R&R needed to be filed within "fourteen (14) days of service" and that a party's failure to file objections would waive any further right of appeal. R&R at 13. Neither party filed an objection.

Because no objection has been filed in this case, the parties waived their right to *de novo* review and appeal. Accordingly, the Court **ADOPTS** the Magistrate Judge's

recommendation, **DENIES** Plaintiff's Motion for Summary Judgment, and **GRANTS** Defendant's Motion for Summary Judgment. Plaintiff's Complaint is **DISMISSED** in its entirety.

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATE: July 14, 2011

CERTIFICATE OF SERVICE

A copy of this Order was e-filed and/or mailed to counsel of record on this date.

s/Bernadette M. Thebolt
Case Manager